C.D.1002

Single Bench

IN THE HIGH COURT OF JUDICATURE AT BILASPUR(C.G.)

WRIT PETITION NO. 719 /2005

PETITIONER RAVI KARAN PYASI, SON OF SHRI SATANAND PYASI, AGED ABOUT 30 YEARS, CONSTABLE NO. 248, PRESENTLY POSTED AT P.S. NANDGHAT, DISTT. DURG (CHHATTISGARH)

719/05
P.R. No. Reema Dubey
Presented by Shri
dated 21.02.05

VERSUS

RESPONDENTS

1. UNION OF INDIA, THROUGH : THE SECRETARY, DEPARTMENT OF PERSONNEL, PUBLIC GRIEVANCE AND PENSION, THIRD FLOOR, LOKNAYAK BHAWAN, KHAN MARKET, NEW DELHI.

21/02/05
Standg. Counsel

2. STATE OF MADHYA PRADESH, THROUGH SECRETARY, DEPARTMENT OF HOME AFFAIRS, VALLABH BHAWAN, BHOPAL (M.P)

3. STATE OF CHHATTISGARH, THROUGH SECRETARY, DEPARTMENT OF HOME AFFAIRS, MANTRALAY, RAIPUR (C.G.)

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4. DIRECTOR GENERAL OF POLICE, RAIPUR, (CHHATTISGARH)

5. INSPECTOR GENERAL OF POLICE, (PERSONNEL), RAIPUR, (CHHATTISGARH).

6. SUPERINTENDENT OF POLICE, DISTRICT DURG (CHHATTISGARH)

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF WRIT IN THE NATURE OF MANDAMUS, CERTIORARI, PROHIBITION AND FOR OTHER SUITABLE WRIT OR WRITS, ORDER OR ORDERS, DIRECTION OR DIRECTIONS.

The petitioner, above named, most humbly and respectfully submits as under :-

01. **PARTICULARS OF THE PETITIONER** :

As stated above in the cause title.

02. PARTICULARS OF THE RESPONDENTS:

As state above in the cause title.

Oath Commissioner
A. PATRIKAR
BILASPUR (C.G.)
Bilaspur Tahsil

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP 719/05 **सन्** **200**

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

20.4.2005

On a mention being made, the matter is taken up for hearing.

Mrs. Fouzia Mirza, counsel for the petitioner.

Mr. U.N.S. Deo, Govt. Adv. for the State.

Mr. R. Baghel, Central Govt. Standing Counsel for Union of India.

By this writ petition under Article 226/227 of the Constitution of India the petitioner has prayed for a direction to the respondent to relieve the petitioner so as to enable him to join his duties at Madhya Pradesh.

The case of the petitioner is that in the erstwhile State of M.P. he was working as Constable in Police Station Nandghat and after reorganization of the State w.e.f. 1.11.2000, the petitioner gave his option for the State of M.P. being a resident of State of M.P. and on the option of the petitioner his services were allocated to the State of M.P. and accordingly, vide Annexure P-1 the State of M.P based on the allocation list posted the petitioner at Police Station, Sidhi but the petitioner has not been relieved even after elapse of two years. Further case of the petitioner is that other similarly situated persons who were not relieved, had filed the petitions before this Court and on the direction of this Court they have been relieved vide order dated 19.10.2004 (Annexure P-4). Therefore, the petitioner is also seeking the same relief.

Perusal of Annexure P-1 shows that the petitioner has been allocated to the State of M.P. and almost two years time has been elapsed but he has not been relieved by the respondents. Even the

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक ...W.P.No.749/05... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

State of M.P. has sent a radio message for relieving the petitioner (Annexure P-4).

Looking to the limited prayer made by learned counsel for the petitioner, having heard learned Government Advocate and after perusing the record, I am of the opinion that it is a fit case in which direction to the concerned respondent should be issued that the petitioner be relieved immediately to join his duties in pursuance of the allocation order.

In the result, the petition of the petitioner is allowed. Respondent No.4 is directed to pass an order for relieving the petitioner so as to enable him to join his duties in the State of M.P. in pursuance of the allocation order.

Consequently, M.(W.)P. No.585/05 & I.A.1462/05 stands disposed of.

Certified copy as per rules.

Sd/-
L.C. Bhadoo
Judge

Roshan